

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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JACKIE CARTER,

Plaintiff,

v.

OPINION AND ORDER

19-cv-57-wmc

SANDRA MCARDLE and JOLINDA  
WATERMAN,

Defendants.

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In a prior opinion and order, the court granted *pro se* plaintiff Jackie Carter leave to proceed on an Eighth Amendment medical care claim as an inmate in the custody of the Wisconsin Department of Corrections. The defendants are Jolinda Waterman, an employee of the DOC, employed at Wisconsin Secure Placement Facility (“WSPF”) and Sandra McArdle, a former employee of the DOC, employed at WSPF. In that same decision, the court directed defendants to respond to plaintiff’s motion for preliminary injunction, specifically requesting that defendants provide the current status of medical treatment with respect to (1) braces and orthotics; (2) pain medication, specifically Tramadol; and (3) medical treatment for ongoing hernia mesh infection. (Dkt. #10.)

Defendants have since timely responded with a brief and detailed, thorough declaration of Jolinda Waterman, attaching Carter’s HSU record excerpts, and a separate brief by Sandra McArdle. (Dkt. ##16, 17, 21.) At minimum, these submissions suggest that defendants are now adequately addressing Carter’s current medical needs, rendering any preliminary injunctive relief unwarranted.

If plaintiff disputes defendants’ account, however, he may pursue his motion for

preliminary injunction by filing proposed findings of facts with supporting evidence, consistent with the court's procedure to be followed on motions for injunctive relief, which is attached to this order. Any submission will be due on or before April 30, 2019. After reviewing plaintiff's submission, the court will determine whether a further response from defendants is warranted and will set a hearing if necessary.

#### ORDER

IT IS ORDERED that if plaintiff Jackie Carter seeks to pursue his request for a preliminary injunction, his proposed findings of fact are due on or before April 30, 2019. If he fails to submit these factual findings, the court will deny his motion for preliminary injunction as moot and set this matter over for a preliminary pretrial scheduling conference.

Entered this 9th day of April, 2019.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge